



DAVID SANDERS, PH.D.  
Director

**County of Los Angeles**  
**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
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**Board of Supervisors**

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First District

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June 24, 2005

TO: Supervisor Gloria Molina, Chair  
Supervisor Michael D. Antonovich, Chair Pro Tem  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe

FROM: David Sanders, Ph.D.  
Director

**APRIL 26, 2005 BOARD AGENDA ITEM # 22: REFUGIO PARA NIÑOS MONTHLY REPORT**

As the Department of Children and Family Services (DCFS) has been charged with providing monthly reports of Refugio Foster Family Agency (Refugio) to the Board, the following summarizes the monitoring visit conducted by DCFS, Out-of-Home Care Management Division, and fiscal reports which outline the activities for June 2005.

**FISCAL ISSUES**

DCFS's Finance Section has reported that Refugio's monthly expenditure report was not submitted timely and was submitted in the incorrect format. The Department's Finance Section further reports that they have brought this to Refugio's attention and the correct monthly expenditure report will be submitted on June 24, 2005 for the preceding month of May.

Nonetheless, the Department of Children and Family Services received a report from the Auditor-Controller's Office (A-C) dated June 21, 2005 indicating that Refugio was "overall" in compliance with the requirements contained in the Corrective Action Plan (CAP).

The A-C's report indicates that Refugio has discontinued expenditures on fundraising activities, nor were there any expenditures on the Multicultural Counseling Center, a mental health facility operated by Refugio, that had been improperly funded. As previously reported in our May 2005 report, Refugio has stopped planning fundraising activities and the Multicultural Center has been closed.

The A-C further reported that there was a total of \$789,682 in questioned costs. The breakdown is as follows:

Mental Health Center	\$206,549
Golf Tournament	17,000
Fundraising	178,933
Executive Director's Compensation	83,206
Executive Director's Pension	70,538
Upheld Findings from 9/2000 Report	233,456

A plan of payment has been established between the A-C and Refugio for the repayment of the questioned costs. Refugio will pay \$6,505 a month for the next 10 years. The A-C reports that Refugio has made two payments thus far.

Refugio was advised by the A-C not to use current foster care funds to repay the questioned costs.

The A-C also indicated in its report, that Refugio adheres to the most current Child Welfare League of America (CWLA) Salary Study in establishing the salary of its Executive Director and qualified ERISA plan. It was noted that the Interim CEO's levels are consistent with the salary and pension levels for an agency of Refugio's size as reflected in the 2003 CWLA Salary Study. A copy of the A-C's report is attached.

During the Out-of-Home Care Management Division staff site visit on June 13, 2005, Refugio's Chief Financial Officer (CFO) reported the agency's Income Statement for May 2005 showed an improvement in the agency's revenue. There is total of \$13,479 surplus. A copy of Refugio's Income Statement for the month of May 2005 is attached to the report.

Refugio's CFO reported that reduced salary expenditures would be reflected in surplus revenues. There were three former employees who had high salaries; additionally, three agency Supervising Children's Social Workers and eight agency Children's Social Workers services were no longer required; and lastly, the agency will not give employee bonuses, as was the past administration's practice. The other two areas of revenue would be from reduced legal fees and rent.

Refugio's CEO reported that some of the surplus will be used to increase payments to foster parents.

## **DCFS MONITORING VISITS**

The Out-of-Home Care Management Division monitor assigned to Refugio conducted a site visit on June 13, 2005. The scope of the monitoring included a meeting with Refugio's Interim CEO, Clinical Director, and CFO. As Refugio has historically been programmatically compliant with prior contracts and the A-C is reviewing the fiscal matters, the monitoring visits focused on safety issues that relate to performance and the structure of the Board of Directors.

## **SAFETY**

Refugio has a total of 130 certified foster homes with capacity for 350 children; 290 children are currently placed.

DCFS researched Out-of-Home Care Management Division's I-track database to query for Child Protection Hotline (CPHL) referrals and Special Incident Reports (SIR) from May 12, 2005 to June 15, 2005. There were no CPHL referrals during this reporting period.

Refugio FFA has been reporting special incidents in accordance with the reporting requirements as stipulated in the contract, Section 10.0, Program Reporting Requirements. During our review, we noted there were six SIRs received:

- Three of the SIRs indicated that the children went to school and failed to return to the foster homes after school. The foster parents acted appropriately as they looked for the children in the neighborhood before calling the police. Refugio reported the incidents in a timely manner and they were appropriately handled.
- The fourth SIR involved a child with a history of running away. This child reportedly ran away after spending only two hours in the foster home. The foster parents acted appropriately as they looked for the children in the neighborhood before calling the police. Refugio reported the incident in a timely manner and it was appropriately handled.
- The fifth and sixth SIRs involved children with minor injuries. One was for a small bruise on a child's face, and the other, a child who fell down and hit his nose. Neither of these injuries required medical attention or a referral to the CPHL.
- The Out-of-Home Care Management Division also reviewed the files of four children currently placed with Refugio to ensure their safety in the area of visitations, as stipulated in the Foster Care Agreement, Statement of Work, Section 1.10, Child Safety, Supervision, and Certified Family Home Environment. The agency was found to be in compliance with contract requirements.

Based upon our current review, no significant trends of abuse/neglect were noted.

## **BOARD STRUCTURE**

Refugio's CAP requires that the agency's Board of Directors consist of seven members at all times.

- During the June 13, 2005 site visit to Refugio, the Interim CEO reported that Refugio's Board has six members as one resigned. However, the CEO stated that the Board has received and is reviewing the resume of two applicants for consideration as Board members.
- As reported in the May 2005 report, Refugio contracted with Harrington Group to conduct the OMB Circular training of its Board in accordance with Exhibit U. The first session took place on May 31, 2005, and the second on June 14, 2005. The entire training would consist of four two-hour sessions, and the topics will include OMB Circular A-122, Role of the Board of Directors, Auditor-Controller Handbook, and Internal Control Systems. The A-C's report indicates that there would be make-up sessions for the new Board members/staff who missed the sessions. Copies of the sign-in logs for the two sessions provided to date are attached.
- Refugio held a Board meeting on May 12, 2005. A review of the Board meeting minutes for this date did not reflect that the Board reviewed licensing and incidents reports as required per Title 22, Foster Family Agencies Regulations, Section 88063(8). The May 2005 report covered the review of Board meeting minutes for the months February, March, and April 2005. This was a recommendation noted in the May 2005 report and was reiterated to the Interim CEO during this visit.

## **CONCLUSION**

The information provided shows that there are concerns regarding Refugio's review of licensing and incident reports and failure to submit timely monthly expenditure reports in the correct format. Refugio has also made great strides in complying with the CAP, they are cooperating with the DCFS Finance Section to ensure timely monthly expenditure reports are submitted and with the A-C. There is an alternative plan of action if needed:

### **Alternative Plan Of Action**

- Every effort will be made to maintain the children with the same foster parents to avoid placement disruption.
- CSWs who have children placed with Refugio will be instructed to make immediate and regular visits of the children in the Refugio foster homes. If the children's safety is in question, the CSWs will take appropriate action that may include replacing the children.
- The Refugio foster parents will be informed immediately by telephone and letter of the pending termination of the contract with Refugio and the County's plan to review

various options with them regarding their ability to continue care of DCFS children placed with them.

- In collaboration with Community Care Licensing (CCL), a meeting will be scheduled immediately with all foster parents where they will be informed of their options to associate themselves with another Foster Family Agency or become licensed foster parents with the State.
- The foster parents will be told to continue to utilize the services of their Agency social worker. If they are not receiving the services from Refugio and/or if safety situations arise, they will be instructed to contact the child's CSW immediately.
- During this entire process, DCFS will be working closely with CCL to consider various options, such as certifying foster parents pending licensure or certification; in the event the contract with Refugio requires immediate termination.

If you have any questions please call me, or your staff may contact Helen Berberian, Board Relations Manager at (213) 351-5530.

DS:LP:ES  
EH:dv

#### Attachments

c: Chief Administrative Officer  
County Counsel  
Board of Supervisors Executive Officer



J. TYLER McCAULEY  
AUDITOR-CONTROLLER

**COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER**

KENNETH HAHN HALL OF ADMINISTRATION  
500 WEST TEMPLE STREET, ROOM 525  
LOS ANGELES, CALIFORNIA 90012-2766  
PHONE: (213) 974-8301 FAX: (213) 526-5427

June 21, 2005

TO: David Sanders, Ph.D., Director  
Department of Children and Family Services

FROM: J. Tyler McCauley *[Signature]*  
Auditor-Controller

SUBJECT: MONTHLY EVALUATION OF REFUGIO PARA NIÑOS' COMPLIANCE  
WITH ITS CORRECTIVE ACTION PLAN

At its April 26, 2005 meeting, the Board of Supervisors directed the Department of Children and Family Services (DCFS), in consultation with the Auditor-Controller to report back to the Board on a monthly basis regarding Refugio Para Niños' (Refugio) compliance with its Corrective Action Plan. The Action Plan is part of the contract between the County and Refugio which was signed on April 28, 2005.

Overall, Refugio is in compliance with the requirements contained in its Corrective Action Plan. The following is our first monthly report to your Department.

**Recovery of Questioned Expenditures**

**Review of Fundraising Expenditures**

Refugio's Corrective Action Plan requires that the Auditor review the Agency's fundraising expenditures for reasonableness and allowability, determine the effect of its findings on the questioned fundraising expenditures and provide DCFS with a revised questioned fundraising cost total and total questioned expenditures.

We completed our review of Refugio's fundraising expenditures identified in our January 18, 2005 report entitled "Allegations Against Refugio Para Niños FFA" and advised DCFS on May 13, 2005 that it should pursue the recovery of \$178,933 in fundraising expenditures.

To ensure prospectively that Refugio has discontinued expending FFA funds on fundraising activities, we also reviewed the Agency's accounting records for May 2005. We found no instances where FFA funds were expended on fundraising activities, or on

*"To Enrich Lives Through Effective and Caring Service"*

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the Multicultural Counseling Center (a mental health facility operated by Refugio that previously had been improperly funded with FFA funding).

Conclusion: Refugio complied. Refugio has discontinued the practice of expending foster care funds for fundraising activities and the Multicultural Community Center. During May 2005, Refugio did not use current foster care funds for these two activities.

#### Signed Repayment Agreement

Refugio was required to enter into a repayment agreement with the County within two weeks of the Auditor-Controller's determination of the total questioned expenditures, or upon execution of the Refugio's new contract with the County, whichever is later.

On May 13, 2005, DCFS was advised that the total questioned costs from our September 2000 Fiscal Audit of Refugio and from the January 2005 Allegations Against Refugio was \$789,682 (which includes the questioned fundraising costs of \$178,933 discussed above).

On May 23, 2005, Refugio entered into a repayment agreement with DCFS for the questioned costs of \$789,682 which was 10 calendar days after the Auditor-Controller's determination of the total questioned expenditures.

Conclusion: Refugio complied. Refugio entered into a repayment agreement with DCFS.

#### Timeliness of Repayment

Under the terms of the agreement, Refugio will repay \$6,505 monthly to DCFS with the first payment due on June 10, 2005 and continuing thereafter on the 10<sup>th</sup> of each month until fully repaid.

Refugio provided DCFS with an initial payment of \$9,091.67 prior to its signing the Repayment Agreement. As of the date of this report, in addition to its initial payment, Refugio has made its first two installment payments of \$6,505 each to the County. Refugio paid DCFS the first (due June 10, 2005) and second (due July 15, 2005) installment payments on June 2, 2005.

Conclusion: Refugio complied. Refugio is making payments in accordance with its repayment agreement with DCFS.

#### Source of Funds

Refugio is not permitted to use current period foster care funds to repay the County the questioned costs included in the Agency's repayment agreement. Refugio has made

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the three payments to DCFS from its Business Money Market Account. We reviewed bank records related to this account and verified that no current period FFA funding was deposited into this account.

Conclusion: Refugio complied. Refugio has not used current period foster care funds to make payments under the Agency's repayment agreement with the County.

### Education of Refugio's Board of Directors and Personnel

#### Training of Board Members and Personnel

As a provision of its Corrective Action Plan, Refugio is required to provide training to the members of its Board of Directors and personnel on the provisions of the Office of Management and Budget Circular A-122 and the Auditor-Controller Contract Accounting and Administration Handbook. Specifically, Refugio is required to identify a trainer, and provide a training schedule and curriculum to DCFS by April 1, 2005, initiate training no more than two weeks after submission of the training schedule and complete the training within 3 months of the execution date of the new contract. Finally, arrangements to train new incoming Board members and personnel on these topics had to be made by Refugio.

On March 30, 2005, Refugio engaged the Harrington Group, CPAs to conduct four training sessions on the following topics:

<u>Scheduled Date</u>	<u>Topic</u>
5/31/05	OMB Circular A-122.
6/14/05	Role of the Board of Directors
6/28/05	Auditor-Controller Handbook
7/12/05	Internal Control Systems

The trainings on OMB Circular A-122 and the Role of Board of Directors were held as scheduled and both training classes, along with the meeting of the Board of Directors, which followed, were attended by a representative of the Department of Auditor-Controller.

Refugio's management indicated that when new Board members or staff begin service, or existing Board members/staff miss training sessions, they will be required to attend make-up training sessions. These make-up sessions may be taught by Harrington Group. However, in some instances, these individuals may be provided with a packet of material developed by Harrington Group to read on a self-study basis.

Conclusion: Refugio complied. Refugio entered into an agreement to provide training to its Board of Directors and personnel as required by the Corrective Action Plan.

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We found the training on OMB Circular A-122 and the Role of the Board of Directors to be adequate and Refugio has established a plan for training incoming Board of Directors and staff members, along with existing members/personnel that miss training sessions.

### **Corrective Action Plan for Structure of Refugio's Board of Directors**

#### **Composition of the Board**

Refugio's Corrective Action Plan requires that the Agency's Board of Directors at all times consist of at least seven individuals, none of whom are interested parties or employees of Refugio.

Refugio appears to have made a good faith effort to comply with the Corrective Action Plan. However, the Agency has had some difficulties retaining Board members. As a result, membership on the Board has fallen below the seven member level on a couple of occasions. Refugio's Board accepted the resignation letter of one of its members at its June 14<sup>th</sup> meeting, reducing its current membership to six. Despite this, Refugio's Board Chairman indicated that several qualified applicants have submitted their resumes for consideration. Refugio is in the process of formally changing its bylaws to reflect the seven member Board requirement.

Based on interviews with selected Board members, along with limited background inquiries on the current six members of Refugio's new Board of Directors, it does not appear that any of the Board members are an interested party as defined in the California Corporations Code, or are a current or former employee of Refugio.

**Conclusion:** While current Board membership is below the seven members, Refugio has made a good faith effort to comply with the seven member requirement included in Refugio's Corrective Action Plan. Nothing has come to our attention that would suggest that any of Refugio's current Board members are an interested party, or are current or former employees of Refugio.

### **Excessive Compensation**

#### **Employee Salaries and Pension Benefits**

The Corrective Action Plan requires that Refugio adhere to the most current Child Welfare League of America (CWLA) Salary Study in establishing the salary of its new Executive Director. For pension purposes, Refugio's new Executive Director may only participate in a qualified ERISA plan that is available to the Agency's other employees. In the event Refugio provides employee benefits to its Executive Director through a plan other than a qualified ERISA plan, Refugio shall refer to the applicable CWLA Salary Study to determine "mean" contribution level for applicable employee benefits plan.

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Refugio has not yet hired a permanent CEO. However, at the June 14, 2005, Board meeting, it was announced that Refugio had engaged in an executive search to replace Refugio's interim CEO. Refugio's current interim CEO is paid \$109,416 annually, which is reasonable for an Agency of Refugio's size. The second highest paid employee is the Clinical Director at \$73,800 annually.

Refugio also funds a deferred annuity pension plan for the interim CEO. This plan was initiated in 2001 while the interim CEO was serving as Refugio's Administrator and will be funded over a ten-year period. The current contribution levels to the interim CEO's deferred annuity pension plan are below the "mean" contribution level reflected in the 2003 CWLA Salary Study. However, should the interim CEO resume his responsibilities as Administrator, the appropriateness of his salary and the level of Refugio's contributions to the deferred annuity pension plan would need to be reevaluated.

Conclusion: Refugio complied. Currently, the interim CEO's compensation levels are consistent with the salary and pension levels for an agency of Refugio's size as reflected in the 2003 CWLA Salary Study.

If you have any questions, please contact me, or your staff contact Mike McWatters at (626) 293-1109.

JTM:JS:MWM:AF

c: Audit Committee

# Role of Board of Directors June 14, 2005

**Trainer**  
**Tayika Dennis**  
**Harrington & Group**

Name

Title

CEO  
Terry L. Loo  
Vice-President  
ROBERT NAVARRO  
MARK SANTABALDO  
Deborah Johnson  
Dawn Sanders  
Michael Gilling  
Gina Reese  
Judith L. Loo  
Doris Thomas  
Cheryl Webb  
Carla Garcia-Ramsay  
Ed Aguirre

H. L. S.  
Board Member  
CEO  
Board Member  
Supervisor  
BOARD MEMBER  
General Director  
Board Member  
Supervisor  
Agency Mgr.  
Supervisor  
Board Member

OMB Circular A-122 Training  
May 31, 2005

I

Trainer  
Mr. Joe Harrington  
Harrington & Group

Name	Title
Christina Camar	Ph.D. / FSW Social Work Supervisor
Solonia Deval	MSN / Nurse -
Dayle Thomas	MS Social Work Supervisor
Kee-Topay	MFT - Foster Parent Coordinator
AL FONG	LA COUNTY
MIKE GERING	Michael N. Gering
Clair Joann	Clinical Director RPO
Mark Santaguida	BOD
Vern Van Voorst	Booms
Shirley Johnson	Board
Teresa Beth	HRD
THOMAS FROZ	COO
ROLAND N.	CPD
Elizabeth E. Dean	BOD
Ed Quirine	BOD
Angeline Conner	Director Work Supervisor

# REFUGIO PARA NINOS

Foster Family Agency

**MINUTES OF A MEETING OF DIRECTOR(S)** Refugio Para Ninos, Foster Family Agency (the "Corporation") held at 100 N. Citrus Street, Suite 205 on this 12<sup>th</sup> day of May, 2005.

1. The following Members were present: Vern Van Voorst, Judith E. Bean, Edward O. Aguirre, Michael Gering, Heather Johnson and Mark W. Santarsiero.

Apologies/Absent: James Henning

2. **UPON A MOTION DULY MADE**, seconded and unanimously carried, Vern Van Voorst acted as Chairperson of the meeting and Judy Bean as Secretary of the meeting.
3. The chairperson presented to the meeting and thereupon the following resolutions were offered, seconded and unanimously adopted.

## IT WAS RESOLVED THAT:

4. Vern Van Voorst introduced two new board member, Mrs. Heather Johnson, M.A., M.F.T., Mrs. Johnson is currently working for ENKI as a Clinic Manager, and Mr. Mark Santarsiero, he is currently working as a CEO for Marshall and Stevens Incorporated.

Vern announced there is a possibility Mr. Jim Henning might resign as a board member. His resignation if not final yet. Vern will be speaking to Mr. Henning to see if there is a possibility he might stay with the board.

A motion for a resolution was proposed in reference to hold matter regarding former executive director Joseph Steinberg's employment contract for further clarification and legal counsel.

Vern addressed to board members a Schedule Rating Form; this form will be used to obtain professional background information for all social workers, supervisors, and management. These forms have been submitted to Human Resource Department for completion.

Magnolia Rodriguez, current CPR-First Aid trainer attended board meeting to clarify accusation of using CPR training to recruit foster parents for former Executive Director, Joseph Steinberg.

A current foster parent attended to testify that Magnolia Rodriguez was indeed recruiting them. Maria Gomez, current foster parent of RPN had attended in

A current foster parent attended to testify that Magnolia Rodriguez was indeed recruiting them. Maria Gomez, current foster parent of RPN had attended in additions to a few other foster parents to Mr. Steinberg's Orientation. He testified that Magnolia Rodriguez was part of the recruiting team.

Mr. Ed Aguirre, board member addressed board members his concern in reference to complaints given to him in reference to conflict/dissention happening at RPN.

He and Judy Bean, board member will be meeting with some supervisors at their request this on May 15, 2005.

Vern Van Voorst, President of Board of Directors of RPN, requested a motion to approve resolution drafted by Jim Corn, attorney at law in reference to amend contract. Michael Gering opposed. He suggested Board of Directors consults legal advise before making a final decision to amend contract.

It was approved by unanimous vote, by all board members to further wait to obtain additional legal counsel before a final decision is made for such contract. MOTION PASSED AND APPROVED BY ALL BOARD MEMBERS.

Judy Bean, current board member was appointed to serve as a Board's Secretary/Treasurer. There is a possibility that Mr. James Henning might resign from Board. Board unanimously voted. MOTION APPROVED.

Teresa Reta, HRD announced Mr. Harrington, from Harrington and Group will commence his OMB training on next board meeting. Tentative days were addressed; one: May 31, 2005 or two: June 7, 2005. It was mutually decided by all board members that May 31, 2005 would be a good choice.

5. There being no further business to come before the meeting, the meeting was adjourned.

6. DATED in the State of California, May 12<sup>th</sup>, 2005.

5-27-05  
Date

Vern Van Voorst  
Vern Van Voorst (Chairperson)

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**  
**FOSTER FAMILY AGENCY AGREEMENT**  
**MONTHLY EXPENDITURE REPORT**

AGENCY: REFUGIO PARA NINO

Reporting Period: 05 - 31 - 05

ADDRESS: 100 N. Citrus avenue, Suite 205, West Covina, CA 91791

CONTACT: Tomas Fernandez

PHONE: (626) 858 - 8687

**REVENUE AND EXPENDITURE SUMMARY**

	Current Month	Year - to - Date
<b>A. Revenue:</b>		
Other Income (Investments, Interest, Fundraising, etc.)	37,058.38	40,091.23
1. AFDC - FC FFA Revenue (LA COUNTY)	403,183.00	2,527,049.00
2. Other Government Revenues	22,992.00	29,824.89
<b>Total Revenue:</b>	<b>\$ 463,233.38</b>	<b>\$ 2,596,965.12</b>
<b>B. Contract Expenditures:</b>		
1. Administration Payroll	35,610.18	185,744.21
2. Recruitment Payroll		
3. Training Payroll	720.00	720.00
4. Telephone & Telegraph	3,362.05	21,973.15
5. Postage & Freight	318.82	4,731.03
6. Office Supplies	7,325.81	32,189.96
7. Conferences, Meetings, In-Service Training	8,482.89	8,482.89
8. Memberships, Subscriptions and Dues		
9. Printing and Publications	1,054.33	1,220.03
10. Bonding, General Insurance	7,049.23	34,135.52
11. Advertising	3,180.00	25,495.09
12. Miscellaneous	43,644.23	257,388.90
<b>Sub-total</b>	<b>\$ 120,747.54</b>	<b>\$ 572,080.78</b>
13. Building Rents and Leases	12,274.35	70,497.84
14. Acquisition Mortgage Principal and Interest		
15. Property Appraisal Fees		12,848.00
16. Property Taxes		
17. Building and Equipment Insurance	387.83	719.76
18. Utilities		
19. Building and Equipment	2,971.34	10,982.78
20. Equipment Leases		
21. Equipment Depreciation Expense	4,140.89	4,757.11
22. Expendable Equipment		
23. Vehicle Leases		
24. Vehicle Depreciation	5,108.06	14,798.81
25. Vehicle Operating Costs		
<b>Sub-total</b>	<b>\$ 24,882.47</b>	<b>\$ 114,804.30</b>
26. Total Paid to Certified Family Homes C.F.H.	193,064.84	1,144,540.91
27. Other Child Related Costs (Not Provided by CFHs)	14,980.05	36,896.96
28. Social Worker Payroll	129,528.77	592,073.21
29. Social Worker Contracts		
<b>Sub-total</b>	<b>\$ 337,573.66</b>	<b>\$ 1,773,511.08</b>
<b>Total Expenditures</b>	<b>\$ 483,203.67</b>	<b>\$ 2,460,196.16</b>
<b>Net Income (Deficit)</b>	<b>\$ (19,970.29)</b>	<b>\$ 136,788.96</b>